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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,725	04/05/2001	Robert N. Higbee	CDUS.0004	6055

7590

08/13/2004

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EXAMINER

CHOUDHURY, AZIZUL Q

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/826,725

Applicant(s)

HIGBEE ET AL.

Examiner

Azizul Choudhury

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/30/02, 4/7/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Detailed Action

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Brien et al (US Pat No: US006351776B1), hereafter referred to as O'Brien.

1. With regards to claim 1, O'Brien teaches a method of operating a remote office having access to a plurality of documents comprising the steps of: storing said plurality of documents on a storage medium; providing a website accessible through an Internet; when a user accesses said website, verifying said user is said remote office user; providing a search engine for said remote office user to enter search terms to be found within said plurality of documents; searching for said search terms within said plurality of documents; displaying a list of found documents which contain said search terms; providing said user with a selected one of said found documents (O'Brien teaches a design for an online database system (column 4, lines 13-16, O'Brien). The design allows for a user to access, write and read files on the database through the Internet.

Browsers are used in the design to enable an interface for the remote user (column 4, lines 32-33, O'Brien) hence, website means must be present within the design as claimed. In addition, the design allows for authorization means as well (column 4, lines 1-6, O'Brien). Furthermore, O'Brien's design allows for queries to be placed to find the desired files (column 8, lines 31-49, O'Brien) (column 14, line 48 – column 15, line 41, O'Brien)).

2. With regards to claim 2, O'Brien teaches a method of operating a remote office wherein said providing step comprises displaying said document to said remote office user (Displaying means are inherent in such a design and are present within O'Brien's design (column 19, lines 28-63, O'Brien). In addition, Figure 14 illustrates a view button, further indicating the viewing means in O'Brien's design).

3. With regards to claim 3, O'Brien teaches a method of operating a remote office wherein said providing step comprises permitting said remote office user to print said selected document at said remote office user's location (O'Brien's design allows for the retrieval of data (column 4, lines 13-16, O'Brien). In addition, the design uses computers on the remote (client) side and on the host (database) side (Figure 1, O'Brien). It is inherent that in a design with the presence of computers, that printing means are present. Furthermore, Figure 14 illustrates a print button, further indicating the printing means in O'Brien's design).

4. With regards to claim 4, O'Brien teaches a method of operating a remote office, further comprising a step of scanning said plurality of documents prior to said storing step (The claimed scanned image format is simply a file type. O'Brien's design allows for all file formats that are acceptable for computers (column 4, lines 16-20, O'Brien)).

5. With regards to claim 5, O'Brien teaches a method of operating a remote office further comprising a step of converting an electronic format of at least one of said plurality of documents to a standard format of documents stored on said storage medium (O'Brien's design allows data to be converted from one format (metadata) to another (XML) (column 11, lines 45-54, O'Brien)).

6. With regards to claim 6, O'Brien teaches a method of operating a virtual document filing system for an office comprising: a storage medium; a website accessible through an Internet, said website providing access to said storage medium for said office; a security system, said security system being capable of verifying an identity of said office; a search engine, said search engine enabling said office to search for terms within said representations of said documents stored on said storage medium (O'Brien teaches a design for an online database system (column 4, lines 13-16, O'Brien). The design allows for a user to access, write and read files on the database through the Internet. Browsers are used in the design to enable an interface for the remote user (column 4, lines 32-33, O'Brien) hence, website means must be present within the design as claimed. In addition, the design allows for authorization means as

well (column 4, lines 1-6, O'Brien). Furthermore, O'Brien's design allows for queries to be placed to find the desired files (column 8, lines 31-49, O'Brien) (column 14, line 48 – column 15, line 41, O'Brien). Finally, O'Brien's design has authorization (security) means (column 4, lines 1-6, O'Brien)).

7. With regards to claim 7, O'Brien teaches a virtual document filing system further comprising a scanner, said scanner being capable of scanning said documents to create said representations of said documents to be stored in said storage medium (A scanner is simply a peripheral device used as an input source for a computer. Its primary role is to input a scanned image format into the database (document filing) system. The scanned image format is simply a file type and O'Brien's design allows for all file formats that are acceptable for computers (column 4, lines 16-20, O'Brien). Hence, scanners are permissible within O'Brien's design).

8. With regards to claim 8, O'Brien teaches a virtual document filing system, further comprising an electronic document conversion tool, said electronic document conversion tool being capable of converting an electronic document into a standard format for a representation of a document to be stored on said storage medium prior to storage (O'Brien's design allows data to be converted from one format (metadata) to another (XML) (column 11, lines 45-54, O'Brien)).

Remarks

After careful review of the application, the examiner failed to note any truly unique traits within the design claimed. The claims provided are seen as being general and would benefit from the inclusion of more detailed specifications. The claimed design, as currently claimed, describes a web-based online storage/database system. A number of arts are available that defeat the current claims (US Pat No: US005987454A and US005319745A are two just such prior arts).

Should the applicants have any further details regarding their design that would present their design as being truly unique over the prior art provided by the examiner, they are encouraged to amend the specifications and claims to reflect such changes.

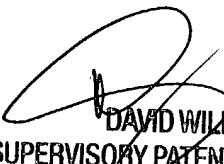
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is 703-305-7209. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100